IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

WP(C).No. 21480 of 2007(F)

PETITIONERS:
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1. T.C.VARGHESE, S/O.CHACKO, AGED 24,
THUNDAPPARAMBIL HOUSE, AMBALA COLONY,
KAKKANADU, ERNAKULAM DISTRICT.

2. M.K.AZEEZ, S/O.KOSHI, AGED 30,
MARAVATTICKAL HOUSE, MALIEKKAL PADI,
EDATHALA P.O., ALUVA NOW RESIDING AT INSHA MANZIL,
ATHANI, KUSUMAGIRI P.O., ERNAKULAM.

3. SHIBU MOHANAN, S/O MOHANAN, AGED 21,
POOVATHUMOOTTIL HOUSE, KARIMAKKADU,
THRIKKAKARA P.O., ERNAKULAM.

4. C.J.PETER, S/O JOSEPH, AGED 36,
AASHAMPARAMBIL HOUSE, KUSUMAGIRI P.O.,
KAKKANADU, ATHANI, ERNAKULAM DISTRICT.

BY ADV. SRI.PHILIP MATHAI
SRI.T.M.JOSEPH SHYLAN

RESPONDENTS:
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1. THE S.I. OF POLICE,
THRIKKAKARA POLICE STATION,
KAKKANADU, ERNAKULAM.

2. AUTO DRIVERS UNION (I.N.T.U.C.),
KAKKANADU UNIT, REP.BY ITS CONVENOR,
KAKKANAD, ERNAKULAM.

3. AUTO DRIVERS UNION (C.I.T.U.),
KAKKANADU UNIT, REP.BY ITS CONVENOR,
KAKKANADU, ERNAKULAM.

BY ADV. SRI.ASOK M.CHERIAN R2 AND R3
GOVERNMENT PLEADER SRI. P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 21480/2007 F

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE PERMIT OFVEHICLE BEARING REG. NO. KL7G-4127.

EXT.P1A. COPY OF THE PERMIT OF THE VEHICLE BEARING REG. NO. KL 7AE/2025.

EXT.P1B. COPY OF THE PERMIT OF THE VEHICLE BEARING REG. NO. KL 7AN- 9398.

EXT.P1C. COPY OF THE PERMIT OF THE VEHICLE BEARING REG. NO. KL 7Q/861.

EXT.P2. COPY OF THE COMPLAINT DT. 5/6/07 BEFORE THE RTA, ERNAKULAM.

EXT.P3. COPY OF THE COMPLAINT DT. 4/7/07 BEFORE THE R1.

RESPONDENT'S EXHIBITS **NIL.**

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K.BALAKRISHNAN NAIR &

HARUN-UL-RASHEED, JJ.

W.P.(C) No.21480 of 2007-F

Dated 7th August, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioners are permit holders of autorickshaws. Their place of parking is Kakkanad. But, they are being obstructed by respondents 2 and 3 Unions on the ground that they do not have membership in those Unions and also on the ground that they are not natives of Kakkanad. Though, they have filed representations before the police, no help was forthcoming. Hence this Writ Petition seeking police protection.

2. This Court has already granted interim protection by order dated 30.7.2007. The learned Government Pleader, upon instructions, submitted that the police contacted respondents 2 and 3 and they assured that there will not be any obstruction from their side. The learned counsel appearing for respondents 2 and 3 also submitted that respondents 2 and 3 are not causing any obstruction.

3. Since the petitioners have Ext.P1 series permits with parking place at Kakkanad, they have a right to park their vehicles there. If any unlawful obstruction is caused, the petitioners can bring it to the notice of the 1st respondent and in that event the said respondent will take action in accordance with law.

The writ petition is disposed of as above.

K. BALAKRISHNAN NAIR,JUDGE

HARUN-UL-RASHID, JUDGE.

nm.